

RECEIVED  
USDC, WESTERN DISTRICT OF LA  
TONY R. MOORE, CLERK

DATE 9/18/15 *gt*

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

JOSEPH ANTHONY DANIEL,  
Petitioner

CIVIL ACTION  
SECTION "P"  
NO. 1:15-CV-00067

VERSUS

ERIC HOLDER, JR., et al.,  
Respondents

JUDGE DEE D. DRELL  
MAGISTRATE JUDGE JAMES D. KIRK

**J U D G M E N T**

For the reasons contained in the Report and Recommendation of the Magistrate Judge previously filed herein, noting the absence of objections thereto, and concurring with the Magistrate Judge's findings under the applicable law;

IT IS ORDERED that Daniel's motion for summary judgment (Doc. 24) and his Zadvydas claim for pre-removal release from detention are both DENIED AND DISMISSED WITH PREJUDICE.

IT IS ALSO ORDERED that Daniel's Bivens claims are DISMISSED WITHOUT PREJUDICE.

IT IS ALSO ORDERED that Daniel's habeas petition is TRANSFERRED TO THE UNITED STATES FIFTH CIRCUIT COURT OF APPEALS for consideration of Daniel's challenge to his removal order and his request for an adjustment of status.

THUS ORDERED AND SIGNED in Chambers at Alexandria, Louisiana, on this 17<sup>th</sup> day of September, 2015.



CHIEF JUDGE DEE D. DRELL  
UNITED STATES DISTRICT COURT